



PLANNED UNIT DEVELOPMENT APPLICATION

Date received: _____ Fees Paid: _____ Receipt #: _____ Application #: _____

Name of Development: _____

Location or Address of Property: _____

Tax ID/Parcel Number: _____ Current Zoning: _____

Existing Use of Property: _____

Proposed Use of Property: _____

Project Description: _____

Property Owner: _____

Address: _____ City, State, Zip: _____

Phone: _____ Fax: _____

Authorized Agent: _____

Address: _____ City, State, Zip: _____

Phone: _____ Fax: _____

Engineer/Surveyor: _____

Address: _____ City, State, Zip: _____

Phone: _____ Fax: _____

***NOTE:** All sections of this application must be complete and fees paid upon submittal.

*The Authorized Agent listed above will also be the contact person for this project. If you have any questions, please direct them to the Community Development Staff at (435) 734-6604.

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
 §
COUNTY OF BOX ELDER)

I, (we) _____, being duly sworn, depose and say that I, (we) am (are) the owner(s)* or authorized agent(s) of the owner, of property involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly to the best of my (our) ability, the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

*May be owner of record, contact owner, party to valid real estate purchase contract, party to valid earnest money agreement, option holder or have other legal control of property.

Property Owner

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public

AGENT AUTHORIZATION

(Required when the applicant is **not** the property owner)

I, (we) _____, the owner(s) of real property at _____, do authorize _____ to represent me (us) as my (our) agent with regard to this application affecting the above described real property, and to appear on my (our) behalf before any City Boards considering this application.

Dated this _____ day of _____, 20_____.

Property Owner

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public

PLANNED UNIT DEVELOPMENT (P.U.D.) SUBDIVISION CHECKLIST

1. Parcel size: _____ 2. Tax ID/Parcel number: _____
3. Right-of-Way of existing access road(s): _____
4. Current zoning: _____ Number of lots: _____
5. Required lot area: _____ Required width: _____
6. Area of smallest lot: _____ Width: _____

Applicant Responsibility

- ☐ Submit a completed P.U.D. SUBDIVISION application with APPLICANT'S AFFIDAVIT
- ☐ Submit completed DEVELOPER NOTIFICATION form
- ☐ Submit twelve (12) copies (24" x 36") of the preliminary /final plat and twelve (12) copies (11" x 17") based on the following Brigham City Ordinances: (see page 4)
 - Chapter 25.06.030. Drawing Requirements
 - Chapter 25.06.040. Supporting Documents Required
 - Chapter 25.06.050. Summary Statement of Proposal
- ☐ Pay applicable **fees:**
 - Subdivision: LTTL, **Planned Unit Development (P.U.D.)**, Amendment, Final Plat
 - \$500 for up to 5 lots. Add \$10 per lot over 5.^{ab}

I _____ hereby state that I am the property owner/authorized agent as noted on page one of this application. I also understand that the property owner listed on page one of this application will be billed and responsible for repayment of all engineering fees as explained in the footnotes below.

Signed: _____

Date: _____

^a This fee includes 1-hour of Engineer fees (no refund for projects taking less than 1-hour).

^b **Engineering fee in excess of 1-hour will be reimbursed by the applicant monthly to the City for the actual cost.** A financial guarantee shall be made to the City through an escrow agreement, cash deposit or payment bond in the amount of amount of **\$500.00** (due at the time of application). Upon final completion of the project, this guarantee will be refunded to the applicant upon final approval of the City and payment of the final engineering bill.

DEVELOPER NOTIFICATION

Utah State Code 54-3-27(5) A subdivision plat that includes a public utility easement may not be recorded unless the subdivider has provided the municipality or county with proof that each public utility as identified by the municipality or county as holding an interest in the public utility easement has, as a courtesy, been notified at least 14 calendar days prior to recording.

Said Developer, _____ does hereby certify that the following public utilities were notified for the following proposed subdivision: _____.

Developer

Date

STATE OF UTAH)
)
COUNTY OF _____)

On the ____ day of _____, A.D. 20____ personally appeared before me, _____ the signer(s) of the within instrument who duly acknowledged to me that they executed the same.

Notary Public

Brigham City Corp.

Authorized Signature*

Date

Cable Co. (Comcast)

Authorized Signature*

Date _____

Gas Co. (Questar)

Authorized Signature*

Date _____

Telephone Co. (Qwest)

Authorized Signature*

Date _____

UTOPIA

Authorized Signature*

Date _____

***** Or copy of Letter sent to the organization and any response from the utility. *****

Contact List:

Brigham City Corp.

Phone #

435-734-6619

Comcast Cable

801-401-3031

Fax #

435-723-8132

801-401-3290

Ouestar

801-395-6734

801-395-6799

Owest

801-675-0680

801-626-5303

UTOPIA

801-990-5450

801-908-7225

Address

20 N. Main Brigham City, UT 84302

1350 Miller Ave, Salt Lake City, UT 84106

2974 Washington Blvd. Ogden, UT 84401

431 26th St. Ogden, UT 84401

2175 South Redwood Road, West Valley City, UT 84119

Chapter 29.07. Planned Unit Development.

29.07.010. Purpose.

The purpose of the planned unit development is to allow diversification in the relationship of various uses and structures to their sites, and to permit more flexibility in the use of such sites. The application of planned unit concepts is intended to encourage ~~good neighborhood, housing, or area design, thus insuring substantial compliance with the intent of the district regulations and other provisions of this Ordinance relating to the public health, safety, and general welfare, and at the same time securing the advantages of large-scale site planning for residential, commercial or industrial developments, or combinations thereof.~~ *excellence in neighborhood, housing, or area design, while insuring substantial compliance with the intent of the General Plan, district regulations and other provisions of this ordinance relating to the public health, safety, and general welfare, and at the same time securing the advantages of large-scale site planning for residential, commercial or industrial developments, or combinations thereof.*¹

29.07.020. Definition.

Planned unit development, for the purposes of this Ordinance, shall mean an integrated design for development of residential, commercial, or industrial uses, or combinations of such uses, in which one or more of the regulations, other than use regulations, of the District in which the development is to be situated, is waived or varied to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed general requirements as specified in this Chapter.

29.07.030. Planned Unit Development Permit.

Planned unit developments may be allowed by Planning Commission approval in any zoning district. No such planned unit development permit shall be granted unless such development will meet the use limitations of the zoning district in which it is to be located, including planned unit developments in planned districts, and meet the density and other limitations of such districts, except as such requirements may be lawfully modified as provided by this Chapter or by district regulations. Compliance with the regulations of this Ordinance in no sense excuses the developer from the applicable requirements of the subdivision ordinance, except as modifications thereof are specifically authorized in the approval of the application for the planned unit development.

29.07.040. Required Conditions.

A. ~~No planned unit development shall have an area less than that approved by the Planning Commission as adequate for the proposed development.~~ *No planned unit development shall have an area less than that approved by the Planning Commission as adequate for the proposed development. No minimum area is specified. However, Planned Unit Developments of any size may be allowed only upon a finding of fact by the Planning Commission that the plan complies with the intent of the General Plan, and incorporates excellence of neighborhood, housing, or area design, that will compensate for the effects upon the neighborhood of deviations from district regulations.*¹

B. A planned unit development which will contain uses not permitted in the zoning district in which it is to be located will require a change of zoning district and shall be accompanied by an application for a zoning amendment, except that any residential use shall be considered a permitted use in a planned unit development which allows residential uses and shall be governed by density, design, and other requirements of the planned unit development permit.

C. The development shall be in single or corporate ownership at the time of application, or the subject of an application filed jointly by all owners of the property.

D. The Planning Commission shall require such arrangements of structures and open spaces within the site development plan as necessary to assure that adjacent properties will not be adversely affected:

1. Density of land use intensity shall in no case be more than twenty-five (25) per cent higher than allowed in the zoning district, except not more than ten (10) percent higher in residential districts.

2. Where feasible, least height and intensity of buildings and uses shall be arranged around the boundaries of the development.

¹ Ordinance No. 98-11, 3/19/98

3. Lot area, width, yard, height, density and coverage regulations shall be determined by approval of the site development plan.

E. Preservation, maintenance and ownership of required open spaces within the development shall be accomplished by:

1. Dedication of the land as a public park or parkway system, or,

2. Granting to the Local Jurisdiction a permanent, open space easement on and over the said private open spaces to guarantee that the open space remain perpetually in recreational use, with ownership and maintenance being the responsibility of an Owners' Association established with articles of association and by-laws which are satisfactory to the Governing Body, or,

3. Complying with the provisions of the Condominium Ownership Act of 1963, Title 57, Chapter 8, Utah Code Annotated, 1953, as amended, which provides for the payment of common expenses for the upkeep of the common areas and facilities.

F. Landscaping, fencing and screening related to the several uses within the site and as a means of integrating the proposed development into its surroundings shall be planned and presented to the Planning Commission for approval, together with other required plans for the development.

G. The size, location, design and nature of signs, if any, and the intensity and direction of area or flood-lighting shall be detailed in the application.

H. A grading and drainage plan shall be submitted to the Planning Commission with the application.

I. A planting plan showing proposed tree and shrubbery plantings shall be prepared for the entire site to be developed.

J. The proposed use of the particular location shall be shown as necessary or desirable, to provide a service or facility which will contribute to the general well-being of the neighborhood and the community.

K. It shall be shown that under the circumstances of the particular case, the proposed use will not be detrimental to the health, safety, or general welfare of persons residing in the vicinity of the planned unit development.

29.07.050. Uses Allowed.

Subject to the review and approval of the Planning Commission, uses allowed in a planned unit development shall be those uses allowed in the planned district or other zoning district in which the planned unit development is to be located; provided, that for the purposes of this Chapter and Ordinance, multiple-family dwellings may be allowed in a planned unit development approved in a single-family zoning district, provided the overall density of the development does not exceed ten (10) per cent above the density normally allowed for single-family dwellings in said District.

29.07.060. General Site Plan.

Application shall be accompanied by a general site plan showing, where pertinent:

A. The use or uses, dimensions, sketch elevations, and locations of proposed structures.

B. Dimensions and locations of areas to be reserved and developed for vehicular and pedestrian circulation, parking, public uses such as schools and playgrounds, landscaping, and other open spaces.

C. Architectural drawings and sketches outlining the general design and character of the proposed uses and the physical relationship of the uses.

D. Such other pertinent information, including residential density, coverage, and open space characteristics, shall be included as may be necessary to make a determination that the contemplated arrangement of buildings and uses makes it desirable to apply regulations and requirements differing from those ordinarily applicable under this Ordinance.

29.07.070. Review by Planning Commission.

In order that it may approve a planned unit development, the Planning Commission shall have authority to require that the following conditions (among others it deems appropriate) be met by the applicant:

A. That the proponents of the planned unit development have demonstrated to the satisfaction of the Planning Commission that they are financially able to carry out the proposed project.

B. That the proponents intend to start construction within one (1) year of the approval of the project and any necessary zoning district change, and intend to complete said construction, or approved stages thereof, within four (4) years from the date construction begins.

C. That application for planned unit development in planned districts meets the requirements of such districts, including the requirements of the general development plan.

D. That the development is planned as one complex land use rather than as an aggregation of individual and unrelated buildings and uses.

E. That the development as planned will accomplish the purpose outlined in 29-07-010.

29.07.080. Scope of Planning Commission Action.

In carrying out the intent of this Chapter, the Planning Commission shall consider the following principles:

A. It is the intent of this Chapter that site and building plans for a planned unit development shall be prepared by a designer or team of designers having professional competence in urban planning as proposed in the application. The commission may require the applicant to engage such a qualified designer or design team.

B. It is not the intent of this Section that control of the design of a planned unit development by the Planning Commission be so rigidly exercised that individual initiative be stifled and substantial additional expense incurred; rather, it is the intent of this Section that the control exercised be the minimum necessary to achieve the purpose of this Chapter.

C. The Planning Commission may approve or disapprove an application for a planned unit development. In an approval, the Commission may attach such conditions as it may deem necessary to secure compliance with the purposes set forth in 29-07-010. The approval or denial of an application for a planned unit development by the Planning Commission may be appealed to the Board of Adjustment. All appeals must be filed with the secretary of the Board of Adjustment within thirty (30) days of the date of the final decision of the Planning Commission.

29.07.090. Construction Limitations.

A. Upon approval of a planned unit development, construction shall proceed only in accordance with the plans and specifications approved by the Planning Commission, and in conformity with any conditions attached by the commission to its approval.

B. Amendments to approved plans and specifications for a planned unit development shall be obtained only by following the procedures here outlined for first approval.

C. The zoning administrator shall not issue any permit for any proposed building, structure or use within the project unless such building, structure or use is in accordance with the approved development plan and with any conditions imposed in conjunction with its approval.